



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Miller-Windsor, Inc.

File: B-242342

Date: December 13, 1990

David C. Miller for the protester.

DIGEST

General Accounting Office is without jurisdiction to consider a protest of a procurement by the Resolution Trust Corporation (RTC) because RTC is defined by statute as a mixed-ownership corporation and is therefore not a federal agency for bid protest purposes.

DECISION

Miller-Windsor, Inc. protests the award of a contract by the Resolution Trust Corporation (RTC) under solicitation No. 714-90-S0052.

We dismiss the protest because we have no jurisdiction over procurements by RTC since it is not a federal agency.

Under the Competition in Contracting Act of 1984, our bid protest jurisdiction is limited to procurements of federal agencies. 31 U.S.C. § 3551 (1988); 4 C.F.R. § 21.1(a) (1990). A federal agency is:

"any executive department or independent establishment in the executive branch, including any wholly owned government corporation, and any establishment in the legislative or judicial branch, except the Senate, the House of Representatives and the Architect of the Capitol and any activities under his direction." 4 C.F.R. § 21.0(c).

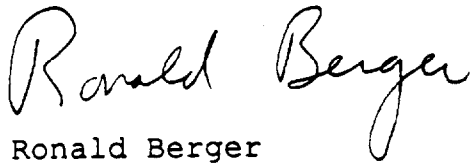
RTC is not a wholly owned government corporation. It is established by law as a mixed-ownership corporation. See 31 U.S.C.A. § 9101(2)(L) (West Supp. 1990). Mixed-ownership corporations are not federal agencies for purposes of our bid protest jurisdiction. Chas. G. Scott & Co., Inc., B-220302, Sept. 24, 1985, 85-2 CPD ¶ 333.

R. Watson

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Accordingly, we are without jurisdiction to consider the protest.

The protest is dismissed.

A handwritten signature in cursive script that reads "Ronald Berger". The signature is written in dark ink and is positioned above the printed name and title.

Ronald Berger
Associate General Counsel